



UNITED STATES PATENT AND TRADEMARK OFFICE

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Paper No. 20

Cameron Kerrigan
Squire, Sanders & Dempsey L.L.P.
One Maritime Plaza
Suite 300
San Francisco, CA 94111-3492

In re Application of : DECISION ON PETITION
Jeffrey A. Steward et al : TO WITHDRAW
Serial No. : 09/475,548 : HOLDING OF
Filed : December 30, 1999 : ABANDONMENT
For : Medical Assembly With Transducer For Local
Delivery Of A Therapeutic Substance And Method
Of Using Same

This is a decision on petitioner's request filed December 29, 2003, to review the holding of abandonment mailed October 21, 2003, for failure to respond to the Office action mailed February 20, 2002. There is no fee required for this petition.

In support of the request, petitioner has submitted a copy of a response, and a copy of a PTO stamped receipt dated March 13, 2002. It is noted that on August 4, 2003, a copy of the March 13, 2002 response was transmitted to the Office via facsimile transmission. However, the transmission did not include at that time, a showing that the Office had timely received the March 13, 2002 response.

In view of the above, the Notice of Abandonment mailed October 21, 2003, is in error and is hereby vacated. The holding of abandonment is withdrawn. Upon the mailing of this decision, the application will be forwarded to the Examiner via the Legal Instruments Examiner for entry and consideration of the response filed March 13, 2002.

Summary: Holding of Abandonment Withdrawn.


John E. Kittle, Director
Groups 3730 and 3760
Phone: (703) 308-0873

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